

**FILED**  
KING COUNTY, WASHINGTON

JUN 11 2019

SUPERIOR COURT CLERK  
BY Nicolas Ceja  
DEPUTY

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

REBECCA WEST, an individual,

Plaintiff,

v.

RIDE THE DUCKS  
INTERNATIONAL, LLC, a foreign  
company; RIDE THE DUCKS OF  
SEATTLE, LLC, a Washington  
Company,

Defendants.

No. 16-2-06389-6 SEA

VERDICT FORM

*(Direction: You are to answer the following questions in numerical order according to the instructions provided.)*

We, the Jury, answer the Questions submitted by the Court as follows:

**QUESTION 1:** Was RTDS negligent by breaching the duty of a common carrier as to plaintiff?

Yes ✓ No           

*(DIRECTION: If you answered "Yes" to Question 1, please answer Question 2. If you answered "No" to Question 1, skip Question 2 and proceed to Question 3.)*

**QUESTION 2:** Was RTDS' negligence as a common carrier a proximate cause of injury to the plaintiff?

Yes ✓ No \_\_\_\_\_

(DIRECTION: Please answer Question 3.)

**QUESTION 3:** Did RTDI breach a duty owed under the Products Liability Act in one of the following ways?

**(a)(i). Claim 1 (Product Construction Defect):** Did RTDI supply a product that was not reasonably safe in construction at the time the product left RTDI's control?

Yes ✓ No \_\_\_\_\_

10-1

(DIRECTION: If you answered yes to Question 3(a)(i), answer Question 3(a)(ii).)

**(a)(ii).** Was this breach of the Product Liability Act a proximate cause of injury to the plaintiffs?

Yes ✓ No \_\_\_\_\_

**(b)(i). Claim 2 (Unsafe Product Design):** Did RTDI supply a product that was not reasonably safe in design at the time the product left RTDI's control?

Yes ✓ No \_\_\_\_\_

10-2

(DIRECTION: If you answered yes to Question 3(b)(i), answer Question 3(b)(ii).)

**(b)(ii).** Was this breach of the Product Liability Act a proximate cause of injury to the plaintiffs?

Yes ✓ No \_\_\_\_\_

10

10-2

**(c)(i). Claim 3 (Failure to Provide Warnings or Instructions with Product):**

Did RTDI supply a product that was not reasonably safe because adequate warnings or instructions were not provided with the product?

Yes ✓ No \_\_\_\_\_

11 10-2

*(DIRECTION: If you answered yes to Question 3(c)(i), answer Question 3(c)(ii).)*

**(c)(ii).** Was this breach of the Product Liability Act a proximate cause of injury to the plaintiffs?

Yes ✓ No \_\_\_\_\_

11 10-2

**(d)(i). Claim 4 (Failure to Provide Warnings or Instructions after Sale):**

Did RTDI supply a product that was not reasonably safe because adequate warnings or instructions were not provided after the product was manufactured?

Yes ✓ No \_\_\_\_\_

*(DIRECTION: If you answered yes to Question 3(d)(i), answer Question 3(d)(ii).)*

**(d)(ii).** Was this breach of the Product Liability Act a proximate cause of injury to the plaintiffs?

Yes ✓ No \_\_\_\_\_

(DIRECTION: If you found that no defendant was negligent or breached the Product Liability Act or that no defendant's negligence or breach proximately caused plaintiff's injuries, sign the verdict and notify the bailiff. Otherwise, please answer Question 4).

**QUESTION 4:** Assume that 100% represents the total combined negligence or fault that proximately caused the plaintiff's injuries. What percentage of this 100% is attributable to each entity you answered "yes" to in Questions 2 and 3(a)(ii), (b)(ii), (c)(ii), or (d)(ii)? Your total must equal 100%.

ANSWER:

Ride the Ducks of Seattle

40 %

11-1

Ride the Ducks International

60 %

**Total**

100 %

(DIRECTION: If you found any defendant liable for plaintiffs' injuries, please answer the question 5).

**QUESTION 5:** What do you find to be the plaintiff Rebecca West's damages?

Non-Economic Damages

\$ ~~10,000,000~~ 4,000,000. —  
(FOUR MILLION DOLLARS)

10-2 #

(DIRECTION: Please sign this verdict form and notify the bailiff)

Date: JUNE 10, 2019

Konnie M Cepine  
Presiding Juror